

REMARKS

Claims 1, 2, 5, 6, 11-14 and 16-25 are currently pending in the application and are subject to a restriction requirement. Applicants request reconsideration of the application in light of the following remarks.

Change of Address

The office action was sent to Kenneth A. Nelson. Applicant respectfully requests that all future correspondence for this patent application be sent to Kenneth C. Booth at the same address:

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Restriction Requirement

Responsive to the restriction requirement indicated by the Examiner, Applicants provisionally elect Species III, claims 12, 14, 19 and 21-24 **with traverse**. Applicant notes that the Examiner's restriction is made between a first species for tickets having a first characteristic (tax insured), a second species for tickets having a second characteristic (payout insured) and a third species for tickets having both the first and second characteristics (tax insured and payout insured). The third species indicates that the characteristics at issue (tax insured and payout insured) are not mutually exclusive characteristics. Accordingly, the restriction requirement is not proper. *See* MPEP 806.04 (f) (*see also* MPEP 806.04(h)). Therefore Applicant requests that the restriction requirement be withdrawn.

If the Examiner chooses not to withdraw the restriction requirement, it is requested that the grouping of Species III be amended to include all claims directed to both first and second characteristics (tax insured and payout insured), ie. claims 1, 2, 5-6, 11-14, and 16-25.

It is further noted that for the Examiner to search and examine the third species claims (Species III) where the claims recite tickets having both the first and second characteristics, necessarily requires the Examiner to examine the patentability of each of the characteristics separately and together. If one or the other of the two characteristics provides a patentable characteristic for the Species III claims, that characteristic is also included in a corresponding independent claim (or genus claim) which does not recite the other characteristic. As such, Applicant requests that all of the claims be examined, or that after examination of the claims of Species III, the patentability of the remaining claims be considered as genus claims to the Species III claims. No correction to the inventorship is required.



Docket No. GHSL-0312

CONCLUSION

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If any fees, including extension of time fees or additional claims fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

Date: January 15, 2004

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